REMARKS

As a preliminary matter, claims 19 and 20 are rejected under 35 U.S.C. § 112, second paragraph as having insufficient antecedent basis. Applicant submits that claims 19 and 20 comply with § 112, second paragraph.

Claims 1-8, 19 and 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Takayama (U.S. Patent No. 6,674,596; hereinafter "Takayama"). Claims 9-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takayama. Applicant submits the following arguments in traversal of the claim rejections.

Rejection of Claims 1-8, 19 and 20 under § 102(e) by Takayama

Applicant respectfully submits that claim 1 is patentable because Takayama fails to disclose or suggest each and every element of the claim. Claim 1 recites:

> A recording-medium cartridge that includes a recording medium and a cartridge memory, wherein the recording medium includes a write-once area, in which the re-write of data is forbidden, and
>
> a re-write area, in which the re-write of data is allowed, and wherein
>
> the cartridge memory holds range information that show the range of the write-once area on the recording medium.

(Emphasis added).

For example, Takayama fails to disclose or suggest the recording medium including a write-once area and a re-write area, in combination with other elements of the claim. In the Office Action, the Examiner alleges that the magnetic tape 3 in Figs. 1 and 3A of Takayama discloses the claimed recording medium. The Examiner also cites column 21, line 62 of

Takayama to further allege that the magnetic tape 3 includes a re-writable area. Applicant respectfully disagrees.

Figure 1 shows a tape streamer device and Fig. 3A is a schematic drawing of a tape cassette. In column 21, line 62, Takayama discloses that the "memory comprises a read-only area and a rewritable area." This memory, however, is not the magnetic tape 3, but is the memory that is included in the tape cassette for storing the management information for managing the writing/reading of information to/from the magnetic tape 3. Moreover, this section of Takayama still fails to disclose or suggest the claimed write-once area since only the read-only and the rewritable areas are mentioned. In Takayama, it appears the tape as a whole is either writable or only readable. Therefore, the disparate sections of writability of a medium are not taught or suggestible and, as a result, the memory disclosed in Takayama fails to disclose or suggest the claimed recording medium.

Further, the Specification on page 2, lines 19-26 explains that prior magnetic tapes cannot simultaneously accommodate both a write-once area and a re-writable area. Such is the case with Takayama which is able to have only one of a write-once area and a rewritable area. Rather, there in nothing in Takayama which suggests that the magnetic tape 3 has a write-once area and a re-write area.

Therefore, claim 1 is patentable because Takayama fails to disclose or suggest the recording medium including a write-once area and a re-write area, in combination with other elements of the claim.

Claims 2-8, 19 and 20, which depend from claim 1, are patentable for at least the reasons submitted for claim 1.

Claim 2 is also patentable because Takayama fails to disclose or suggest a recording area of the recording medium is divided into a plurality of continuous sections, and each boundary region between adjoining sections is assigned with a unique identification number. The invention is also patentable because by reading identification information, the distinction between a write-once area and a re-writable area of the section behind the boundary region is enabled without feeding back the magnetic tape.

In addition, claim 3 is patentable because Takayama fails to disclose or suggest a recording-medium cartridge wherein a plurality of write-once areas and re-writable areas are lined up on the recording medium, and wherein the cartridge memory holds information showing a position of a boundary between the write-once area and the re-writable area. Applicant requests the Examiner to point out where the plurality of write-once areas and re-writable areas are taught in Takayama, along with the position of the boundary, as claimed.

Further, claim 6 is patentable because Takayama fails to disclose that the recording medium is a magnetic tape. Due to the dependency of claim 6 from claim 1, the recording medium is a magnetic tape which includes a write-once area and a re-writable area, which Takayama fails to disclose.

Rejection of Claims 9-18 under § 103(a) over Takayama

Claims 9-18, which depend from claim 1, are patentable for at least the reasons submitted for claim 1.

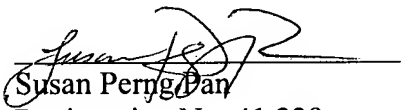
In addition, claims 9-18 are patentable because the Examiner has failed to establish a *prima facie* case of obviousness. In the Office Action, the Examiner does not provide the necessary motivation for modifying the teachings of Takayama to render claims 9-18 obvious.

To support Examiner's statement that "it would have been obvious at the time of the invention to use magnetic disks, optical tape, and optical disks as the recording media," the Examiner states that "[o]ne of ordinary skill in the art at the time of the invention would have been motivated to use magnetic disks, optical tape, and optical disks as recording media since they are art recognized equivalent methods for storing data." *See* pages 4-5 of Office Action. Such a rationale is based on impermissible hindsight reasoning, and thus, claims 9-18 are patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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